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Federal Communications Commission
Office of Secretary

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the Matter of

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Amendment of Rules and Policies

)

Governing Pole Attachments

)

CS Docket No. 97-98

To: The Commission

UTC AND THE EDISON ELECTRIC INSTITUTE
COMMENTS IN SUPPORT OF MOTION FOR EXTENSION OF TIME

Pursuant to Section 1.46(b) of the Federal Communications Commission's (FCC) Rules, UTC, The Telecommunications Association (UTC),¹ and the Edison Electric Institute (EEI) hereby submit their joint support for the "Motion For Extension Of Time" filed by AEP, Commonwealth Edison, Duke Power, Florida Power and Light, and Northern States Power (collectively referred to as the "Utilities") on April 4, 1997, in the above referenced matter.

UTC, The Telecommunications Association (UTC), is the national representative on communications matters for the nation's electric, gas and water utilities and natural gas pipelines. Over 1,000 such entities are members of UTC, and include investor-owned utilities, municipal electric systems, rural electric cooperatives, and natural gas distribution and transmission companies. The Edison Electric Institute (EEI) is the association of the

¹ UTC was formerly known as the Utilities Telecommunications Council.

United States investor-owned electric utilities and industry associates worldwide. EEI's members serve approximately 76 percent of all electric customers in the nation.

As the principal representatives of the utilities directly impacted by the Commission's interpretation and implementation of the Pole Attachment Act , 47 U.S.C. Section 224, as amended by the Telecommunications Act of 1996, both UTC and EEI have a direct interest in this proceeding.

The current *Notice of Proposed Rulemaking (NPRM)* proposes to modify the current formula used to calculate the rates charged by investor-owned utilities for attachments to poles, ducts, conduits and rights-of-way by cable companies and telecommunications carriers. Pursuant to the Telecommunications Act of 1996 the proposed revised pole attachment formula would apply as an "interim" formula for all new attachments by cable companies and telephone companies pending the effectiveness of a new formula on February 8, 2001.

The Utilities have requested that the Commission extend the period of time by which interested parties must file comments by 60 days and for an increase in the total reply comment period from 30 to 45 days. For the following reasons UTC and EEI support this motion.

As the Utilities point out, the subject matter of the *NPRM* presents complex issues that will affect utilities, cable companies and telecommunications carriers, requiring an examination of detailed accounting and engineering information that will require significant time and effort on the part of utilities. In the case of conduit this will be

particularly time consuming as it involves issues that have not been addressed previously by the industry.


Over the past few weeks UTC and EEI have been meeting with various industry segments in order to attempt to reach mutual agreement on the myriad issues raised in this proceeding. However, given the number of issues and the widely differing circumstances and impacts that need to be analyzed and addressed in this proceeding, additional time is necessary to fully respond to the *NPRM* in an informative manner. UTC and EEI are in the process of soliciting additional information from utilities and will be meeting with industry groups in the up-coming weeks with a view towards achieving industry consensus.

By granting the requested extension of time, the Commission will ensure that all interested parties are given sufficient time to comprehensively address the full scope of issues raised in this proceeding. Moreover, an extension of time will facilitate consensus thereby saving Commission time and resources and best serving the public interest.


WHEREFORE, THE PREMISES CONSIDERED, UTC and EEI request the Federal Communications Commission grant the Utilities' Motion to extend the comment period 60 days and the reply comment period to 45 days.

Respectfully submitted,

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Dated: April 14, 1997

CERTIFICATE OF SERVICE

I, Ryan B. Oremland, hereby certify that on this 14th day of April, 1997, I caused a copy of the foregoing "COMMENTS IN SUPPORT OF MOTION FOR EXTENSION OF TIME" to be sent by first-class mail, postage prepaid, to each of the following:

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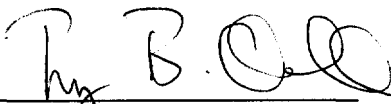
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